

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

OCT - 3 2012

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

Ling Yuan Hu
8404 kay court
Annandale, VA 22003-2206.

Plaintiff

203-880 5183

V.

CASE NO: _____

DEPARTMENT OF DEFENSE
1400 Defense Pentagon
Washington DC, 20301-1400;

CENTRAL INTELLIGENCE AGENCY
Washington, DC 20505;

FEDERAL BUREAU OF INVESTIGATION
935 Pennsylvania Avenue, NW
Washington, DC 20535;

DEPARTMENT OF JUSTICE
950 Pennsylvania Avenue, NW
Washington DC. 20530;

OFFICE OF DIRECTOR FOR NATIONAL INTELLIGENCE
Washington DC. 20511;

DEPARTMENT OF STATE
2201 C Street, N.W.
Washington DC, 20520;

NATIONAL SECURITY AGENCY
9800 Savage Road, Suite 6248
Ft. George G. Meade, MD 20755-6248;

AN UNKNOWN NUMBER OF UNKNOWN OFFICIALS.
AGENTS AND CONTRACTORS OF DOD, CIA AND FBI. address unknown

Case: 1:12-cv-01640
Assigned To : Howell, Beryl A.
Assign. Date : 10/3/2012
Description: FOIA/Privacy Act

**JURY
NOTION**

Defendants

COMPLAINT

This Complaint describes how US government agencies and unknown officials intentionally persecuted and framed up Plaintiff, a US citizen since 2000, as a Chinese spy and terrorist for their personal and political interests, then tortured and harassed her in the name of secret investigations for 7 years to perform mind control and to prevent her from suing. Plaintiff brings this action pursuant to the First, Fourth, and Fifth Amendments of Constitution, Privacy Act of 1974, 5 U.S.C. § 552a et seq., the Freedom of Information Act, 5 U.S.C. § 552 et seq., the Federal Declaratory Judgment Act, 28 U.S.C. § 2201, for injunctive, declaratory and monetary reliefs and seeking for disclosure and release of Plaintiff's agency records intentionally withheld by Defendants. This case qualifies for the good cause set by 28 U.S.C. § 1657 (a) and 5 U.S.C. § 552(a)(4)(C).

Jurisdiction and Venue

1. This Court has jurisdiction over this action pursuant to Article III of U.S. Constitution, 5 U.S.C. §§ 552a(g)(5), 552(a)(4)(B), and 28 U.S.C. § 1331.
2. Venue is appropriate in the District under 5 U.S.C. §§ 552a(g)(5), 552(a)(4)(B), and 28 U.S.C. § 1391.

Parties

3. Plaintiff Ling yuan Hu ("HU") is a citizen of the United States since year 2000.
4. Defendants Department of Defense ("DOD"), Central Intelligence Agency ("CIA"), Federal Bureau of Investigation ("FBI"), Department of Justice ("DOJ"), Office of Directory for National Intelligence ("ODNI"), Department of State ("DOS"), National Security Agency ("NSA") are agencies within the meaning of 5 U.S.C. § 552a(a)(1), and are in possession and/or control of records pertaining to Plaintiff.
5. The true names and capacities of those unknown individual defendants will be identified during discovery.

FACTS

6. Plaintiff HU is a US citizen since year 2000. HU worked as a Mathematics teacher at Falls Church High School in Fairfax County Virginia since fall 2004. In August 2005, her second year of teaching, a new mathematics teacher named "Michael Fish" came to the school and they quickly fell in love. On Sep 24, 2005, HU's father in Taiwan suddenly died at a nursing home, and HU rushed back for the funeral. HU

remembers the school then was spreading a rumor that HU would not come back to USA. About three weeks later, on the night when HU was about to leave Taiwan and took her scheduled flight next day back to USA. HU was told her brother was summoned to the local investigative bureau (similar to FBI) for questioning. HU did not change her schedule and boarded the plane back to US. About one or two weeks later, HU's mother called her that her sister-in-law was missing in Taiwan, and later HU knew that it was a kidnap and her sister was able to run away..

7. Michael Fish, HU's boyfriend, suddenly resigned and left the school in Jan 2006 and he never told HU why and where he went. Also starting from Jan 2006, HU was taking her last course for a Master degree at George Washington University ("GWU"). HU had a substitute teacher from outside the school. and she was the only student in the class. The substitute teacher Kathy Clark, who is a professor at Florida State University now, conspired with GWU's executives to frame up HU a "plagiarism" charge, secretly recalled her six transfer credits, and failed her comprehension exam in May 2006. Kathy Clark called this "plagiarism" charge as a business deal to exchange for her teaching position at Florida State University. The details and facts were proved by this court, in a 2010 civil suit *HU v. GWU 1:10-cv-01939-RMC*.

8. Also in May 2006, HU was forced to resign from Falls Church High school. The school principal suddenly changed HU's supervisor to another administrator, who does not know math, before her evaluation. They gave HU a bad score and a conditional teaching, despite her great achievement with her Algebra II students, who were all labeled grade C and below in their Algebra I class, but they all passed the state SOL Algebra II test. In fact, HU received a "full pass" in her first year teaching by her supervisor. Her math department head Jennifer Allard, who is now the department head at Thomas Jefferson High School for Science and Technology, is the witness of her teaching achievements with her students in those two years.

9. HU later was offered a job online as a technology manager at IDEA Public Charter School, DC in fall 2006. HU had no idea but gradually learned that IDEA is a Military Academy based on Department of Defense's JROTC Career Academy model. HU experienced extreme hostility and mistreatments at IDEA PCS ever since first day of work and did not know why. HU had fixed lots computer downtime problems. trained the school teachers and staffs for student information software, and designed a student activity tracking system with MS access. However, HU also discovered lots problems in personnel and record keeping. IDEA PCS forced HU to resign in May 2007 with a fake charge without proof. while HU knew the school executives had been monitoring

all her computer activity. HU then started her long unemployment life. Around the same time, HU gradually sensed that she was under 24-hour surveillance at her apartment, the "Riverside Apartments" at Alexandria VA. HU was followed everywhere she went, and some cars deliberately got very close behind her. Her cell phone was locked and interfered that it could only accept signals in her apartment unit and not anywhere else. In Jan 2008, someone stole her library book- "Bush Dynasty", and next in Aug 2008, her key chain was missing, from her apartment. Then someone broke in her car, and turned on her real light overnight to dry her car battery. It happened twice and the last time the battery went dead in Jan 2009. One helicopter even pulled up near her car by the Woodrow Wilson Bridge during one late mid-night, minutes after HU missed the highway exit and detoured onto the bridge.

10. HU was looking for jobs both in computer field and as public school teacher. HU once went to the defense contractor Booz, Allen and Hamilton for an interview in Nov 2007, they asked her to fill in an "application for security check", but then never contacted her. In Jan 2008, HU passed all interviews with a contractor named "RN Solutions" and its client National Institute of Health, but after they sent HU's file to their human resource, HU never heard anything back, not even a sorry email. HU now suspect that the application of security check is to provide legal cover for Defendants' secret investigation on HU, and her NIH employment was blocked by Defendants.

11. After being unemployed for almost two years, HU decided to leave USA and move back to Kaohsiung, Taiwan in Mar 2009. But before she left USA, she filed a discrimination complaint to GWU's president office in Jan 2009 and finally received her long rejected document. HU was furious that GWU defrauded her with fake "plagiarism" charge and secretly took away her long approved transfer credits, so she emailed GWU on Feb 24, 2009 that she would bring up a suit against GWU. Only three weeks after she went back to Taiwan. HU's brother was summoned to the local investigative Bureau again and then started a long prosecution process for a frame-up healthcare insurance fraud case. HU later figured out in 2011 both prosecutions to her brother were intentional frame-ups created by Defendants as "blackmails" to her family and to HU to prevent them from any lawsuits. A series of sabotages in her apartment followed. HU's bathroom in her rented apartment was frequently filled with strong odor smelling like septic tank. After rejected by her landlord for any help, in June 2009, HU quickly moved to a new apartment, without knowing this new place was also prearranged by Defendants.

12. However, now HU experienced more extremely "malicious" harassments from her

new American neighbor living right upstairs, and her landlord was covering up everything for Defendants. This time HU's bathroom was constantly filled with strong, heavy cigarette smoke, which even spread into the living room. Her drinking water was contaminated with disinfectant, her across alley neighbors were constantly making construction noises, and her bike parked in the basement was sabotaged and broken. Starting from Feb 2010, when she was drafting her court Complaint to GWU, she experienced 4 broken water pipeline incidences and 2 water filter leaking in 5 months. Immediately following that, one resident, living on the 5th floor in the same building, claiming her public water pipeline broke, and she insisted that she had to have her contractor break open HU's bathroom wall, located on the 11th floor, and not any other residence in the building, in order to fix it. Even the city government officials threatened HU to comply with it or be punished by fine. HU was furious with all these intentional harassments and had to move again in August 2010. In September, before she returned to USA, HU went to local medical center for eye and teeth checkup. The Ophthalmologist lied to her she needed a laser treatment because retinal detachment, and the dentist lied to her she needed to redo one filling, but HU suspected a micro tracker or implant was implanted into her mouth.

13. HU returned to USA in October 2010 to file her lawsuit against GWU to this court. She continued experiencing harassments and tortures from her landlords and Defendants. They set her heating temperature to the law allowed 60 degree in winter; constantly cut off her internet connection in her basement room; made the printer unworkable, deliberately dropped heavy stuffs to the floor and created loud noises to disrupt her sleep at night; sent sick people sitting next to her making her sick, and sneaked into her room to break her eyeglasses and grocery handbag, twice. In Jan 2011, HU suffered mysterious chest pains every early morning for one straight month, which she later figured out was caused by Defendant's electromagnetic radiation weapons with invisible radiation wave. On July 30, 2011, Defendants even shot a bee sting to her leg to scare her, since they knew HU is allergic to it.

14. Under Defendant's directives, US Post office repetitively disabled HU's "get email update" function in USPS.com and withheld the delivery date updates for HU's registered mail to GWU. The court clerks would give GWU more days to finish its motion responses, while HU was left in dark not knowing how many days she had. Besides, since HU did not have money for a car, all HU's friends in the area were not allowed to come to pick her up, not even with grocery shopping. Everywhere she went, HU's followed and harassed by cars and strangers, and her internet access was controlled and manipulated even in the local public library. Who else has such great

power to “command” everyone around HU, including GWU, US post offices, her friends, her landlords, the local governments and hospitals, and all the unknown store owners HU visited, both in Taiwan and USA, to constantly give HU troubles and obstacles everyday in order to harass her from following through her lawsuit with GWU? HU has lots evidences to prove it in the discovery process.

15. After this court finally proved GWU’s conspiracy to frame up HU and sabotage her academic records and reputations (HU v GWU 2010), HU is alert that she must have other “untrue” personal records within the government’s possessions that prevent her from getting any job since 2007, and that subject her to 24-hour surveillance, her phone and computer controlled, and even hidden cameras in her apartments to watch her movement every second. HU’s mother accused HU as a “Chinese spy”, all her friends treated her “strangely”, and few old friends refused to have contacts with her. HU discovered in 2008 that her credit report was “completely tampered”, with more than 35 unknown records that did not belong to her, including lots bank and store accounts, car loans and even two cosign mortgages with an unknown Chinese man. In fact, HU only had one local bank account and one VISA account in USA; besides, she never owns a house, and she never borrows.

16. In July 2011, HU started her PA request process for all her government records in USA. She then went back to Taiwan in August 2011 and continued writing PA requests and appeals by mail for one whole year. HU realizes all her nonstop hardships, sufferings and family tragedy began with the mysterious man named “Michael Fish” whom she met in August 2005. HU later figured out “Fish” is not his real last name, and he is a member of the Andrew Carnegie family. Michael used a fake name, and he never tells HU why he came to Falls Church High school, and why he left her abruptly. HU does not need to know Michael Fish’s personal files and jobs, if that is national security, but HU has to know her own personal records, especially all her investigative files, in order to clear her name and stop the long “political persecutions” by Defendants to HU and her family since Sep 2005.

17. Right now, Defendants still have total control of HU’s computer, her body and her apartment in Taiwan. In effect, they launched a complete electronic war against HU and watched her life and activity every second through hidden camera in order to make effective attacks. Defendants manipulated the messages and images through TV, radio and computer to brainwash and threaten her. HU barely had any early morning without being bombed with all kinds of noise campaigns. Defendants also want to know HU’s exact location in her apartment to decide whether the noises should come

from the front or the back of the building: whether the electromagnetic weapons should beam which room and which part on her body while HU works at computer and while she sleeps. The radiation assaults affect HU's whole body health, including lots headaches, her period stopped, her abnormal defecation and diarrhea, serious waist pains that kept her from standing straight, frequent stomach pains and arm and wrist pains. The radiation attack can produce "flu" like symptoms that will keep her in bed for days. HU was badly attacked recently on Aug 31 and Sep 9, 2012 when she was summarizing her Complaint to this court. Defendants used secret electromagnetic radiation weapons to attack HU as early as May 2007. It is to cause her sickness and pains for torture and retaliations, to destroy her resistance, and to disrupt her preparation of lawsuits against GWU and Defendants. Both DOD and CIA, and only they, have electromagnetic radiation weapons (can be carried in van) long ago as classified secrets, but some information is available online and gradually known.

18. Defendants take advantage of their so called "investigation" cover-up to monitor HU's court evidences and strategy everyday to help them decide how to defraud her, when to mail their response letters, and how to mislead her on her PA request before going to this court. Defendants even constantly "tampered" listed dates and "wiped out" words and paragraphs in HU's appeal letters and Complaint. US post office, collaborated with HU's Taiwan post office, conspired to have her mails to US returned, delayed or simply denial of any delivery information for 17 of her PA request mails from May through September 2012 in order to hide the actual "delivery" date. Two appeal letters were intentionally rerouted to NY, NH then back to DC on Sep 5 for one extra week. HU has detail logs and proofs. HU's computer seriously slows down or freezes constantly when she writes something Defendants do not like; her MS word functions are disabled or disrupted to mess up her file; and her PA appeal letters and Complaint are secretly tampered with typo. HU is under torturing stressful assaults by CIA's endless construction noises in and around HU's apartment building day and night; lots cars and motorcycles are following HU everywhere she goes, to scare her for car accident on each cross street corner where traffic lights are manly manipulated; and the siren of ambulance, police and firefighters run several times a day past her apartment day and night to terrify her and disrupt her sleep. HU's bike parked outside was also secretly sabotaged twice. In May 2012 her bike break was suddenly loosened and then one month later, the back tire was completely "worn out" so badly that the bike shop confirmed it was a malicious sabotage by manmade rubbing.

19. HU's PA requests started with ODNI's and FBI's reply for classified records, then DOD, DOJ and DOS all rejected her requests, and concluded with NSA's final

confirmation Defendants are withholding all of HU's classified records. HU had never worked for US government or high tech company, and had no way to touch any government secrets, so why US government faked her credit report, asked GWU to frame her up as "plagiarism", ordered the executives in Falls Church High School and IDEA PCS to give HU bad evaluations, accused HU a Chinese spy in her file, put her in the terrorist watch list, sabotaged all her employment opportunities, and intentionally leaked those fake negative information to all her friends and family? Isn't it a fact to everybody that it is "Michael Fish" who came after HU to her school, not HU went after him when they first met? Why HU has been put on 24-hour surveillance since 2006? So HU becomes a suspect of Chinese spy and terrorist simply because she was born in Taiwan and fell in love with a member from Andrew Carnegie family? HU can understand US government does not like a Chinese to marry with US's rich and prominent family like Andrew Carnegie family, but HU cannot understand why US government had to "persecute" HU's family in Taiwan, especially when HU and "Michael Fish" were only friends then? Is it because HU's family members are not US citizens, so US can do whatever they want overseas in the name of "national security"? Isn't US claims itself the top rank human rights country?

20. After analyzing all the incidences, facts and clues, HU concludes that "Michael Fish" either worked for DOD or CIA, and this is a long tradition for USA's prominent family. Did Defendants send Michael to HU's school to check if she is a "Chinese spy" following the old McCarthy's blacklist of school teachers? If the US intelligence agencies all have HU's investigative files for 7 years, why they never prosecute HU for being a Chinese spy or a terrorist? And when HU demanded for her records, why they all misled her and delayed as much as possible, then rejected to do a computer search or simply lied for no record found? Then the only explanation now HU is still under 24-hour surveillance, nonstop harassments and communication control every day is to prevent HU from bringing any suit to this court. HU is neither an identified criminal nor a terrorist, so why DOD/CIA use electromagnetic weapons to attack her in her residence since 2007? This is not "national security", but horrible tortures, brainwash, mind control, political persecution and human rights violations. Do US Constitution or Congress give US government the right to torture and control HU for her whole life until she says "Yes, Master, I will follow all your directions, and I will not sue you!"? Defendants have to present "hard evidences" that HU did do some things that cause a real threat to "national security" to justify their surveillance and assaults for 7 years and still won't let go. If this is a secret investigation, why Defendants harassed and assaulted HU in her face since Sep 2005 with her family's tragedy first? See *Steven Hatfill v. Attorney General John Ashcroft*, where FBI's

24-hour surveillance was used to intimidate and retaliate FBI's pinned target. In 1999, Dr. Wen Ho Lee, also a Taiwanese American, was singled out and accused a Chinese spy because of his race. In 1974, US president Nixon admitted he ordered the CIA to obstruct the justice for his political wiretapping under the name of "national security".

CAUSES OF ACTION

Count 1 PA Request to ODNI- Record Deny

21. On July 9, 2011, HU submitted a PA request to ODNI (ref no DP-2011-00204) for "copies of all records about me indexed to my name". On July 28, 2011, ODNI replied, that pursuant to FOIA exemption 1 and 3, and Privacy Act exemption k(1), they "neither confirm nor deny the existence of classified records responsive to your name". Executive Order 13526 and National Security Act are the statutes cited for the decision. HU appealed on August 3, 2011 but received no response until May 2012, a letter backdated as Apr 2 (Exhibit 1). ODNI failed to comply with statutory deadline. Why it took ODNI 8 months to respond to HU's appeal? Is it because all the "referrals" to other agencies that ODNI did not notify HU? On Aug 1, 2012, HU mailed her 2nd appeal for record denial and modified her PA request to "all information or other references or materials... referring to or directly or indirectly concerning me whether filed under my name or obtainable by searching through other files and materials." HU also requested for the expiration date of her classified records, what activities prompted her investigation and when the investigation started. On Aug 31, 2012, ODNI responded (DP-2011-00054) and rejected her Aug 1 appeal with no explanation, no citation and did not answer any of her question. This violates FOIA where an agency must allow the requester to modify their request at least once. HU submitted an appeal for "declassification" on Sep 5, 2012, and asserted her rights on FOIA's "reasonably segregable" requirement.

22. When ODNI claimed that "No classified records system were searched" for HU's request, then how did they know to apply FOIA exemption 1 with the Executive order 13526, exemption 3 with the National Security Act, and Privacy Act (k)(1) to deny her record? Apparently, this is a Glomar denial. ODNI also invoked 32 CFR 1700.7(c) and 1701.10 (c)(3)(B) in its appeal response to justify it. The provision of 1700.7(c) states ODNI shall decline to confirm or deny the existence of responsive records whenever the fact of their existence or nonexistence is itself classified; 1701.10 (c)(3)(B) deals with the process for referral of request. These are solid proofs ODNI has HU's classified records, and all or some of the files originated from other agencies, most possibly, DOD, CIA, FBI and DOS. According to provision 1701.10

(c)(2), ODNI should give HU a “notice of referral”, but ODNI did not follow it, which is a regulation violation. Executive Order 13526 Sec 1.7 states that “Classification may not be used to conceal violations of law, inefficiency, or administrative error; to prevent embarrassment to a person, organization, or agency; or to restrain competition”; “Classification may not be used to prevent or delay the release of information that does not require protection in the interest of the national security.” Besides, FOIA clearly states that an agency may not withhold an “entire document” on the grounds that some portions of the document are exempt. FOIA requires an agency to provide a requester with any “reasonably segregable portion” of a record after deletion of the portions.

23. HU has been under secret investigation and surveillance for 7 years by Defendants, but no allegation or prosecution ever been presented for any criminal behavior. As HU proved later, Defendants all tried defrauding and convincing HU they do not have any of her investigative file in system. then why HU is rejected for her records on a “national security” exemption? And how can Defendants “legally” put HU on “detention” in apartment designed by Defendants and use invasive surveillance without any investigative reports? As HU already knew the government is investigating on her and all the CIA Kubark style “techniques” used as described above in FACT section, it is not a “national security” investigation, but a true racial discrimination and political persecutions. It is HU’s Constitutional rights to view all her records for those “untrue” statements and amend it, for example, the use of HU’s secretly tampered credit report before 2009, the fake “plagiarism” charge by GWU, negative records from Falls Church High school and IDEA PCS, plus other fake records HU did not know, which keep HU rejected from employment for five years.

Count 2 PA Request to FBI – Record Not Found/Record Deny

24. On July 13, 2011, HU submitted a PA request to FBI (ref no 1170587-000) for “copies of all records about me indexed to my name”, which is a sample PA request published on CIA FOIA website. On August 2, 2011, FBI replied and claimed they found no responsive records on “main file”, but they neither confirm nor deny of any records in the government terrorist watch list, based on 5 USC § 552 exemption (b)(7)(E). HU appealed the decision on Sep 5, 2011 arguing that it is her human rights to know if she was in the list because of her damage for long term unemployment, and this information for sure will not let the “real” terrorists know how to avoid being detected by US authorities. DOJ did not reply HU’s appeal until Oct 28, 2011. DOJ failed to comply with the statutory deadline.

25. FOIA (2004) states an agency "must be careful not to read [a] request so strictly that the requester is denied information the agency well knows exists in its files ". Apparently, FBI did not search the "see reference file" and "classified" file" in order to withhold HU's records. Later HU realized FBI intentionally misled all PA requesters who searched the FBI FOIA website for guidance to use the words "search the FBI's indices to the central records system for information", so FBI could have excuses not to search other file systems. DC Court of appeal decided 'a system adopted by an agency for dealing with documents of a particular kind constitutes "withholding" of those documents if its net effect is significantly to impair the requester's ability to obtain the records or significantly to increase the amount of time he must wait to obtain them.' *McGehee v CIA* 697F2d 1095 (DC Cir. 1983) Apparently FBI designed this "central records system" for FOIA/PA request in order to withhold records. Besides, if ODNI has HU's classified records for national security, FBI must have it too. See *Porter v. Department of Justice*, 717 F.2d 787 (1983) and *Baez v. DOJ*, 647 F.2d 1328 (D.C. Cir. 1980) where FBI withheld responsive investigative file to the requesters until compelled by the court.

26. As to FBI's exploit of FOIA exemption (b)(7)(E), HU argued that FBI put HU in the terrorist watch list is not for "law enforcement", but for political persecution, unless FBI could provide "evidences" to prove it otherwise. Additionally, HU already knew why and how she was secretly investigated- a "backgrounds check" for a potential marriage to Andrew Carnegie family. FBI started investigating HU in 2005 after she met "Michael Fish", a member of Andrew Carnegie family. So why a normal background check would turn HU into the terrorist watch list? This is why HU calls this a political persecution. HU knew FBI gained her personal information through tampered backgrounds files, 24 hour surveillance, hidden camera in her apartment, internet hack/cyber war, frame up charges and tampered credit report, which are not new FBI techniques or procedures, and certainly would not surprise any "real" terrorists. After HU's been investigated for 7 years, no charge is ever presented, and HU is able to prove her innocence in court, there is no justification not to tell HU when she was put in the terrorist watch list, unless FBI is trying to hide it for other personal reasons. Why FBI rejected to search the "see reference" and "classify file"?

27. On June 30, 2012, HU mailed her 2nd PA request for "all information or other references or materials.... referring to or directly or indirectly concerning me whether filed under my name or obtainable by searching through other files or materials." With no response, On August 10, 2012, HU submitted an appeal asking DOJ if they withheld her records by 28 CFR part 16 16.6(f) record exclusions, and 3 questions

including the expiration date of her classified records. Then HU received a letter from FBI, backdated as July 25 (Exhibit 2), 2012, claiming they did another search on the "Central file system" again and found no record. DOJ failed to comply with statutory deadline again, and never reply to HU's Aug 10 appeal. HU knew FBI rejected to search the "reference file" and "classified file" again, so she submitted another appeal for record not found/denial on Aug 15, 2012 asserting FBI did not do an adequate search by intentionally excluding searching "see, reference" and "classified" file systems. DOJ again did not reply and fail statutory deadline. See *Islamic Chua Council v. FBI* where FBI also replied "no record found" for investigative file from their central system, but then produced lots files it claimed as "outside of scope" when compelled by the court. In fact, under DOJ's FOIA regulations, 28 CFR part 16, the provision 16.6(f) record exclusions allows DOJ components to exclude records from the requirements of the FOIA pursuant to 5 U.S.C. 552(c). So FBI acted in bad faith in order to withhold HU's classified records. On Sep 7, 2012, HU submitted an appeal for declassification to DOJ based on the same reasons to CIA, DOD and ODNI.

Count 3 PA Request to CIA- Reject to Process/Record Deny

28. On July 9, 2011, HU submitted a PA request to CIA for "copies of all records about her indexed to her name", because this is the exact wordings from a sample PA request letter published on CIA's FOIA website. HU copied this PA request from CIA and used for all of her PA requests. When HU realized this is a "trick" for Defendants to hide her records into file systems not "indexed" by her name, HU modified all her PA requests into a general one. CIA replied on July 27, 2011, (ref P-2011-00720) demanding for HU's naturalization certificate number and date before processing her request. HU searched the whole house but could not locate her certificate even she knew she had it, so she faxed her passport ID instead to CIA since the number is for verification purpose only. On August 31, 2011, CIA replied that they were "unable" to process the request and closed the case, without any advise of appeal. CIA cited the provisions on 32 CFR 1901.13 (requirements as to identification of requester) as their excuse for her certificate. However, that provision is only for an alien, not a citizen. Apparently, CIA defrauded HU in bad faith in order to withhold HU's records.

29. On May 14, 2012, HU filed an appeal for reject to process. On June 16, 2012, HU received CIA's reply dated as June 6 (backdated, Exhibit 3), demanded HU to file a new request with a copy of her passport and closed HU's case without advise of a judicial review. Later HU figured out that CIA already stole her naturalization certificate from her apartment, and knew if HU does not return to USA, she could not

retrieve her naturalization number from USCIS by phone or mail. In her appeals on July 17, 2012, and then July 20, HU argued that she is a citizen so neither the naturalization certificate nor copy of passport is required, and she modified her PA request to "all information or other references or materials, in whatever form or manner, referring to or directly or indirectly concerning me whether filed under my name or obtainable by searching through other files or materials." CIA did not reply to these appeals so it failed to comply with statutory deadline. On Aug 29, 2012, HU mailed out her Summary of Appeal for record deny to CIA. HU asserted that CIA has to perform computer search based on Privacy Act (d)(1) and FOIA 1996 (a)(3), and HU asked if CIA applied 32 CFR 1900.21(c) to decline to confirm or deny the existence of her classified records. HU provided proofs that her files have nothing to do with "national security", but true torture and political persecution. On Sep 10, 2012, HU requests for declassification of her records and demands CIA for FOIA "reasonably segregable portion" requirement. HU's citizenship status and personal records in CIA files are definitely not "national security" issue.

30. The Privacy Act of 1974, 5 U.S.C. 552a, states that agency shall define "reasonable" requirement to identify the person before the agency shall "make the records available to the individual. Also by EFOIA of 1996 SEC 5(C), "an agency shall make reasonable efforts to search for the records in electronic form or format". It is against both Acts when CIA rejected to process HU's request without her naturalization number or copy of passport. The CIA Information Act 1984 Section 701(c)(1) states the right for personal information under FOIA and Privacy Act; and 701(f) and 702 (c) entitle citizens the right to bring this issue to court for judicial review when CIA improperly withheld records. Furthermore, if ODNI, head of CIA, said they have HU's classified files related to "national security", it is impossible CIA has nothing. HU figured CIA may have lied to everybody and this court that HU is an alien in her files, and that is why CIA always treats HU as an alien, instead as a citizen. These multiple evidences proved that CIA acted in bad faith intentionally and rejected to process HU's PA request in order to withhold her records.

Count 4 PA Request to DMDC- No Record Found;
PA request to DOD – Reject to Process and Appeal/Record Deny

31. On July 13, 2011, HU submitted PA request to Defense Manpower Data Center, a component of Department of Defense, which comprised the largest database of personnel data in DOD. On July 25, 2011, DMDC replied with an acknowledging letter of receipt, but did not assign HU any account number and no estimated time for

completion. After waiting for 4 months. HU mailed a status check letter to DMDC on December 4, 2011, but still received no response. So on May 7, 2012, HU submitted her appeal letter for no response, both to DMDC and Office of Secretary of Defense and Joint Staff ("OSD/JS"), since she was not sure where to appeal her case.

32. Soon after HU's appeal is out, on May 22, 2012, after 10 months from her PA request, DMDC finally responded with not one but two letters. DMDC claimed they did receive HU's status check letter on Dec 4, 2011 and replied on Jan 10, 2012 (Exhibit 4), but did not know why HU did not receive it. Both letters stated the same that DMDC found no records related to HU. But HU did not receive any response from OSD/JS until July 5, 2012, almost two months after HU's appeal. DOD failed to comply with statutory deadline. On July 21, 2012, HU mailed her appeal for DMDC's records not found. In this appeal, HU asked OSD/JS if they apply the provision of C3.2.1.7.4.1. (explained below) for "record not found", and modified her PA request to a more general one for all files related to her (same to her 2nd PA request to OSD/JS). DOD did not reply. DOD failed to comply with statutory deadline again.

33. HU has signed an application for "background check" to a DOD contractor Boos, Allen and Hamilton in 2007 on an interview. Then She was almost offered a position at National Institutes of Health in 2008. The strange thing is that DOD has been actively divided and transferred their personnel and security database to various different components within DOD since 2009, so it is very hard for HU to figure out where to submit her request. DMDC never contacted HU about her PA request, so it does not make sense why they searched 3 file systems which have investigative files for military personnel. HU has never served for the military, so of course they would find nothing. Apparently, DMDC did not do an adequate search for HU's PA request, which asked for all files related to her, not just investigative files. In July 2011, HU contacted Aaron Graves, FOIA Team chief of OSD/JS, for help on the status of her PA request. Mr. Graves asked her how she was associated with DMDC. HU told him she was under serious security check since 2006 because her boyfriend's family has roles with the military. However, Mr. Graves did not help HU at all. HU has tried Defense Security Service before, but OSD/JS later told HU she should mail her request to Homeland security. Without doubt, DOD rejected to help HU locate her records, intentionally delayed her process by not giving her account number, ignored her request first and then lied and backdated their response after HU appealed.

34. HU later figured out, like FBI, DOD is allowed to tell the requesters that record not found even though they know it exists. According to DOD FOIA Program,

C3.2.1.7.4.1..“whenever a request is made that involves access to records or information compiled for law enforcement purposes, and the investigation or proceeding involves a possible violation of criminal law where there is reason to believe that the subject of the investigation or proceeding is unaware of its pendency, and the disclosure of the existence of the records could reasonably be expected to interfere with enforcement proceedings, Components may, during only such times as that circumstance continues, treat the records or information as not subject to the FOIA. In such situation, the response to the requester will state that no records were found.” Given the fact HU’s investigation has been going on for 7 years, and HU already knew it since 2007, including those “techniques” from Kubark manual and radiation weapons, so what kind of law enforcement would be “interfered” now? .

35. On June 13, 2012, HU mailed out her 2nd PA request (REF: 12-F-1048), a general on for all records about her, to DOD’s Office of Secretary Defense/Joint Staff (“OSD/JS”). On June 29, 2012, OSD/JS quickly emailed HU (Exhibit 5, no letter) and rejected to process with the excuse that they do not take care of security clearance request. DOD did not advise HU for an appeal and simply close the case, which violated FOIA and DOD regulation. Apparently as proved by HU’s letter above, HU’s request is not about security clearance, but everything related to her. On July 3, 2012, HU appealed the reject to process to OSD/JS and demanded for a computer search. Just like CIA’s rejection to process, based on EFOIA SEC 5 (C), OSD/JS has to run a computer search for HU’s request. On July 25, 2012, HU mailed out her 2nd appeal for denial of record. HU did not receive any response from DOD of her appeals for reject to process/record deny. DOD failed to comply with statutory deadline. Apparently, DOD has the habit not to reply HU’s appeals. On Aug 29, 2012, HU submitted her Summary of Appeal for record deny. She states “pursuant to the First, Fourth and Fifth Amendment rights, DOD cannot control my life, liberty, residence, and communications without a charge and due process. DOD cannot take away my right for grievance by threatening, torture and harassment. And pursuant to Privacy Act, DOD cannot reject my right to access and amend my records. DOD rejected to process my PA request simply to avoid the reasons they have to raise for an adverse decision”. On Sep 5, 2012, HU submitted her appeal for declassification and proclaimed that DOD has violated its FOIA regulation C5.3.4, and others.

36. DC court of appeal decided that “an agency....cannot simply refuse to act on the ground that the documents originated elsewhere”. *McGhee v CL1* 697F2d 1095 When agencies “obtain” files from other agencies, they are still “agency records” within the FOIA/PA definition. When a record is in an agency's possession, it is an "agency

record" for FOIA purposes. These are presumptions set by US Supreme court already in three cases: *Dept. of Justice v. Tax Analysts*, 492 U.S. 136 (1989); *Kissinger v. Reporters Committee*, 445 U.S. 136 (1980); and *Forsham v. Harris*, 445 U.S. 169 (1980). The simple fact is that if ODNI and FBI have HU's classified files related to "national security" and "terrorist", it is impossible that DOD does not have HU's file. In her appeals on Aug 29 and Sep 5, 2012, HU provides proofs her files are definitely not "national security". And by both FOIA and DOD FOIA program C5.2.4 Reasonably Segregable Portions, HU is in title to have her personal records, which bear no "national secret", to check for correctness and to clear government's accusation of her as a "Chinese spy". HU wants all her records in DOD possession, including her medical records, citizenship status and her records from Taiwan government, not just her investigative files! DOD's Information Security Program C2.4.3.1. states that "Classification may not be used to conceal violations of law, inefficiency, or administrative error; to prevent embarrassment to a person, organization, or agency;" C2.4.3.3. states "Classification may not be used to prevent or delay the release of information that does not require protection in the interest of the national security". C2.4.3.4 and C2.4.3.5 require reclassification on a document by document basis. By C2.5.2.1, DOD cannot classify all my records, ex. my citizenship status, which do not fit the rules in C2.3.2 & C2.3.4. DMDC's intentional search on wrong file systems and OSD/JS's excuse not to run a search all proved that DOD is acting on bad faith and fraud in order to withhold HU's records.

Count 5 PA Request to EOUSA of DOJ- Reject to Process/Record Deny

37. On Feb 28, 2012 HU submitted to Executive Office for United States Attorneys ("EOUSA") /Department of Justice a PA request for "copies of all her records indexed to her name". On Mar 28, 2012 EOUSA replied (ref 2012-925) demanding HU to fill in a form for Certificate of Identity, even HU already signed her penalty of perjury statement with her PA request conforming DOJ FOIA regulation. EOUSA also demanded HU to specify which United States Attorney office where HU believe records may be located, and claimed this missing information as a "deficiency". Although HU suspected DOJ's intention, HU did as they requested. On May 9, 2012, EOUSA replied and with the letter assigning HU another ref no# 12-1593 plus very confusing information. EOUSA claimed that most PA requests could be finished in 20 working days, but "Project Request" would take 9 months. EOUSA did not say HU's request is a Project Request, but told her that requests like "all information about myself in criminal case files" is a Project Request. So EOUSA basically is saying that it is HU's responsibility to "guess" "how long" she could receive her results, not

38. HU sensed that it is a "hint" that EOUSA would place HU's request into a Project Request to make HU wait for 9 months if she did not act, so HU immediately wrote a letter to EOUSA on May 15, 2012 to make sure EOUSA do not put her request into Project Request, and narrowed HU's request to two specific area: if any HU's investigative files from FBI, CIA or DOD; and whether HU was in any government terrorist watch list and when. With no reply from EOUSA, HU submitted an appeal letter for no response dated on June 29, 2012. Then on July 9, 2012, HU received EOUSA's response (Exhibit 6), backdated on Jun 25, and rejected to do any computer search with the excuse that they do not have the requested information by HU. On July 25, 2012 HU mailed her 2nd appeal for denial of record and modified her request to "all information and reference..... referring to or directly or indirectly concerning me whether filed under my name or obtainable by searching through other files or materials". On Aug 25, 2012, HU received reply from DOJ's Office of Information Policy affirming the rejection to process. However, DOJ's reply did not modify HU's PA request to a general one as she requested. That is apparently fraud.

39. DC court of appeal decided that “an agency cannot refuse to act on the ground that the documents originated elsewhere“. *McGhee v CIA* 697F2d 1095 DOJ’s refuse to process is similar to CIA and DOD. It first intentionally “misled” HU twice by demanding “unnecessary” and “misleading” deficiencies to her in order to delay her request as long as possible and forced her to narrow her request, and then rejected to process with excuse that they do not have investigative records. Based on all the PA request court cases, it is impossible DOJ does not maintain investigative files related to national security. The federal courts have decided it is a matter whether agencies have done an adequate search, not whether they have the files, to complete a FOIA request. And as HU explains above in DOD’s case, when agencies “obtain” files from other agencies, they are still “agency records” within the FOIA/PA definition. If DOJ really do not have HU’s file, why don’t they just do an adequate search and reply “no record” to her? Apparently, DOJ acted in bad faith to intentionally hide HU’s records, the same behaviors like DOD and CIA.

Count 6 PA Request to Department of State- Reject to Process/Record Deny
And Reject for Appeals

40. On May 22, 2012 HU submitted to Department of State, ("DOS") a PA request (ref no F-2012-29363), asking for "if my name is in any investigative files from FBI,

CIA, DOD or the American Institute in Taiwan; and, was I ever in the government terrorist watch list and when?" with no response, on June 30, 2012, she submitted an appeal for no response and modified her request to "all information or other references or materials....referring to or directly or indirectly concerning me whether filed under my name or obtainable by searching through other files or materials.". After her appeal letter out, on July 10, HU received a letter dated as June 19, apparently backdated. This letter assigned HU with a case number written by hand. It also claimed another "formal" acknowledgement will come in soon, but did not tell her the estimated time to finish the search. This is fraud. HU knew this is US government's common trick to delay and confuse HU from doing appeal. Without any progress from DOS, HU mailed her 2nd appeal for record denial on July 25, 2012. Then on Aug 10, 2012, HU received a letter, backdated as July 20, from DOS appeal office and they rejected HU's appeal for no response, which violated 5 U.S.C. 552(a)(4)(B). On Aug 1, 2012, HU received DOS FOIA office letter rejecting to process her PA request under the excuse "some or all the requested records do not appear to be state department records". This letter also deliberately changed her request date from May 20, 2012 to June 29, 2012. HU then submitted another appeal for reject to process/record deny on Aug 15, 2012 insisting for a computer search. On Aug 24, 2012, HU received a letter (Exhibit 7) from the appeal office rejecting her appeal for record deny, backdated as Aug 13, 2012, saying that "since the records you seek are not DOS records, there is nothing to appeal." In the letter, DOS did not advise HU for a judicial review and it threatened her with "Traveler Redress Inquiry Program". On Aug 30, HU mailed out her appeal summary, and on Sep 10, HU submitted an appeal for declassification requesting for all her records including her records forwarded from Taiwan government.

41. Without doubt, DOD, DOJ and DOS all took the same approach to deal with HU's PA request- not agency record. The courts already decided that when a record is in an agency's possession, it is an "agency record" for FOIA purposes. DOS, like DOD and DOJ, all try to avoid giving HU her right for judicial review based on FOIA 552(a)(4)(B). In fact, CIA, DOD and DOS always work together side by side overseas for intelligence work, so it is impossible that DOS does not have any investigative file. In her Appeal Summary to DOS, HU states that DOS's FOIA regulation 22 CFR 171 subpart C §171.21 "Declassification Review", all information that belong to (a) executive orders, litigation, and CIA Information Act (c) Glomar Denial (g) other agency information (h) foreign government information (i) intelligence information, are all "classified" information in DOS file system, so can DOS still claim they do not have "investigative" or "national security" files"? §171.25 even set the exemptions to

withhold information declassified. So did DOS apply any provision in Subpart D Privacy Act § 171.36 Exemptions to reject HU's PA request? Still, DOS needs to fulfill FOIA "reasonably segregable portion" requirements. Will DOS dare to claim that they do not have HU's passport records and personal data in Taiwan office? In HU's PA request, she requested for all her records in DOS. DOS, as well as DOD and DOJ, all take advantages of HU by making up excuses to mislead her and to manipulate the date of their response letters through help from USPS. Since Defendants have total control of HU's computer and US post office, they always waited after HU mailed out her appeal of no response, then sent out their responses with backdated date before her mailing date, to negate her appeal. That is fraud. DOS intentionally acted in bad faith and improperly withheld HU's records.

Count 7 PA request to National Security Agency- Record Deny

42. On Aug 10, 2012, HU submitted a general PA request as above to NSA, a component of DOD, for "all information.... referring to or directly or indirectly concerning me..." NSA replied, dated Aug 31, 2012 (Exhibit 8), that "neither confirm nor deny the existence of intelligence records responsive to your request, or whether any specific techniques or method is employed in those efforts." NSA raised FOIA exemptions 1 & 3 and identified with Executive Order 13526 sec 1.4 -classification category (C) "intelligence activities (including covert action), intelligence sources or methods, or cryptology." As to exemption 3, NSA raises 18 U.S. Code 798; 50 U.S. Code 403 -1(i); and 50 U.S. Code 402 note. HU appealed on Sep 17, 2012 requesting for declassification. On Sep 17, 2012, HU mailed her appeal for record deny and declassification, arguing that her records are not national security and it is not legal that NSA surveillance use hidden camera, electromagnetic weapons and radiation/signal intelligence technology to monitor HU's brain activities for mind control. HU asked NSA if they applied for a FISA warrant, or did NSA use "Authorization for use of military force against terrorists" because FBI put her in the terrorist watch list? FISA clearly makes it illegal to intentionally engage in electronic surveillance under appearance of an official act or to disclose or use information obtained by electronic surveillance under appearance of an official act knowing that it was not authorized by statute. Is it possible that NSA, which is one component of DOD, has my classified records on national security, but DOD does not? NSA's response letter officially proved that DOD, CIA, FBI/DOJ and DOS all lied to HU that they do not have her records in order to withhold her records.

Count 8 Civil Rights Violation of First Amendments Right To Free Speech and

Sue/Petition the Government for Redress of Grievances

43. In 1983, the Supreme Court's opinion in *Bill Johnson's Restaurants, Inc. v. NLRB* set out the principle that "the right of access to the courts is an aspect of the First Amendment right to petition the Government for redress of grievances." In a June 2002 decision, *BE&K Construction Co. v. National Labor Relations Board*, the high court, though not ruling on First Amendment grounds, nevertheless noted that it had long viewed the right to sue in court as a form of petition. Governments officials may not interfere with these rights directly, punish an individual for exercising these rights, or engage in retaliatory conducts aimed at chilling future exercise of these rights. Defendants prearranged HU's residence since 2007 at Riverside Apartment at Alexandria, VA. Then HU's daily life was all surrounded by various lobbyists trying to brainwash her and persuade her to go back to school teaching. These lobbyists include, but not limited to, military staffs, policemen, defense contractors, "Economists" magazine and the Heritage Foundation, etc. When HU still showed great resistance and did not follow their directions. Defendants became tough and violent to her and adopted CIA Kubark torture manual to destroy her both physically and mentally, and completely controlled her freedom of speech through cyber war, US post office and the telecommunication companies.

44. HU believes that even she has been proved innocent and not a threat to U.S., Defendants still continue 24-hour surveillance and harassment to disrupt her lawsuits. It is common that her phone calls would be blocked, or redirected and answered by CIA agents; her outgoing and incoming emails were screened, delayed or blocked by proxy computer set by Defendants; her scanned PA response letters emailed from her friend in USA would be turned around for 180 degree, or the head or bottom part was cut off; her friends told her the files she emailed them only show garbled codes and could not be read; and her searches for lawyers and legal advises were blocked and manipulated. Are these intelligence techniques for investigations on national security? Or violations of HU's Constitutional rights for free speech, liberty and right to sue? If Defendants all rejected to process HU's PA requests and appeals, and lied and persuaded her they do not have any investigative files on her, it contradicts the fact that she is under surveillance and harassments every day for 7 years, which is confirmed by NSA. So the true reasons Defendants controlled HU's apartment and attacked her with radiation weapons since 2007 up to now is to do mind control, brain wash, and threaten and harass her from filing any lawsuit.

Count 9

Violations of Fifth Amendments Due Process.

Life, Liberty and Property Rights

45. The Fifth Amendment limits the power of federal government to discriminate. It has an explicit requirement that the Federal Government not deprive individuals of "life, liberty, or property" without due process of the law, and an implicit guarantee that each person receives equal protection of the laws. If Defendants secretly investigated HU, why they harassed HU in her face and aggressively sabotaged her life and employment? Do Defendants have the right to sabotage HU's lawsuits by blocking her emails in and out, or put virus in her email files out so the receivers could not read them? Do Defendants have the rights to constantly feed in pornography, gun violence and murder images into HU's computer? HU can prove Defendants already knew, at a very early stage before 2006, that HU had a very simple life, good employment records and no connection with any criminal activities. So US government abused their power to persecute her family in Taiwan, tamper her credit report, orchestrate covert schemes to discriminate her and label her with bad records, in order to sabotage her possible marriage to the rich Andrew Carnegie family. Apparently, these covert actions are not for "national security", but personal interests.

46. Defendants performed a series of conspiracies to defame HU and interfere with her employments. They asked GWU, Falls Church High School in Fairfax County, VA and IDEA Public Charter School in DC to maliciously give HU bad scores and evaluations, regardless her great achievements, in order to undermine her academic and professional reputations and cause her out of work. GWU framed up a "plagiarism" charge to HU and told her if she pleaded guilty to the charge, she could graduate even they failed her comprehension exam. FBI tampered her credit report and put HU into the terrorist watch list to prevent HU from getting any future employment and to get NSA into surveillance on her. The Defendants took away HU's freedom to choose where to live by blocking and manipulating her searches for apartments and prearranged each residence for her, either through her friend's or the real estate agent's reference, in order to ensure Defendants have total control of her apartments. Besides having US post office control her mails. Defendants even conspired with Capital One bank to lie to her and disrupt her from getting her money. In short, Defendants seize total control of HU's apartment, job, life, family and friends to block everything she wants to do, especially her lawsuits. They also apply CIA Kubark torture manuals to destruct her confidence and resistances, sent lobbyists surrounded her as neighbors and have pretenders and fraudsters follow everywhere she goes to manipulate her. Without a due process, Defendants violate HU's Fifth Amendment rights, and which cannot be rationalized with "national security".

Count 10 Violations of 4th Amendment/Unreasonable searches and Seizures

47. HU has never done any activity against US government, no street protest, no membership of any association or organization related to politics, and no connection with any foreign government, especially China. There is no way HU would know or suspect herself was secretly under criminal investigation for national security. The first time she sensed she was being monitored was in 2007, when she lived at Riverside Apartment in Alexandria, VA. She sensed the building security and maintenance staffs were watching on her, and they turned hostile to her when HU rejected to cooperate and started to quest for her documents from GWU in 2008.

48. Defendants constantly entered into her apartment without her permissions and stole her library book- "Bush Dynasty"; stole her keys and naturalization certificate; got into her car, turning on her rear lights and let her battery run dry; seized her computer, controlled the in-and-out of her emails, disrupted and tampered her files and letters related to her lawsuits; installed hidden camera and other harassing facilities in her apartment; sent in heavy smoke and odor into her apartment; Sabotaged her water pipelines 6 times in 5 months; assaulted her with secret electromagnetic weapon; and broke her eyeglasses twice and sabotaged her computer and bike. In effect, Defendants seized her whole residence and life. When she moved back to Taiwan in 2009, her two luggages were not with her, but delivered several days later, when HU realized US government searched her luggage. All these secret break-in and sabotages violated HU's 4th Amendment rights and these outlaw sabotage activities are not needed for so called "investigation on national security".

Count 11 TORTURE, ASSAULT AND HARASSENT

49. Besides the 24-hour surveillance on HU's prearranged apartments, when HU decided to investigate the truth with GWU and then to bring up lawsuits, Defendants launched a series of plans for harassments, tortures and assaults to HU to cripple and disrupt her daily life. Since 2009, HU logged all these activities and her body reactions every day, and found out all those dirty tactics came from DOD and CIA's "Kubark torture manuals", and later "US army and CIA interrogation manuals" with slight twists. The manuals recommend "coercive counterintelligence interrogation to resistance sources employing 'threats and fear', 'pain and debility', 'deprived of sleep' and 'use prisoner's relatives to create the impressions they are in danger or sufferings'". The manuals allow the Defendants to "manipulate the subject's

environment, create unpleasant or intolerable situations, and disrupt patterns/routines of time, space and sensory perceptions". Defendants have total control of HU's apartment and communications both in US and Taiwan. They prearranged her apartment and buyout the landlords or apartment managers. They arranged all the stores, shops, library and government agencies she regularly visited to defraud, confuse and reject of service in order to frustrate her and sabotage her confidence. Defendants installed hidden cameras and microphones, controlled the water pipelines, constructed new pipelines remitting smoke and odors, and positioned the secret electromagnetic weapons before HU moved in or while she was out. In short, HU's been put on "detention", her apartment is like a laboratory and US agents/contractors are doing all kinds of "scientific" tests and tortures to threaten and scare her into cooperation and change her behaviors.

50. Defendants beamed HU with electromagnetic weapons (EMF), or so called "active denial system" in DOD's term, as early as 2007, when she experienced vision change, abnormal periods, fatigue and more headaches. This radiation weapon was secretly developed by DOD which can adjust the intensity, frequency, and amplitudes. They can direct the beam to specific focus of body part to create various painful symptoms like arthritis and control the level of pains at a very high precision. The human body can only tolerate limited amount of radiation exposure called "lifetime radiation cup". Once that cup is full, because of many small deposits of EMF exposure or even one very large deposit, any exposure can be physically felt and is usually causing end result illnesses such as fibromyalgia (chronic widespread pain), cancer, Multiple sclerosis (autoimmune disease causing physical and cognitive disability), chronic fatigue and more. HU's vision, walking, motion and memory are all seriously damaged. She has blurred vision with signs of flashes of light and floaters, and she could not read with her normal eyeglasses for 4 years. Her nerve and immune system are damaged. Her body developed strange new "mole" like bumps and more unknown diarrhea. Recently HU felt her eyes burning hot, reddish, pain and easy to get tired. Defendants also beamed her right waist aggressively since Mar 2012 to cause her extreme pains from walking, bending down and doing her daily activities. Besides the pains, the long exposures to these radiations have degraded her body and mind, disrupt her body's normal cycle, damaged her nerve and immune system and the developing of cancer is highly possible. It is slow poisoning and a true murder that Defendants secretly assault HU with radiation weapon for at least 5 years. Do Defendants take HU as the "free" experiments for their scientific test on newly developed secret weapons and test the "right" amount and "right" body spot for "best results"? Apparently, Defendants only care their "science of torture", but see no

human sufferings! Besides the body attack, all HU's digitized equipments are controlled or sabotaged by these invisible electromagnetic waves. Defendants' goal is to control HU's mind, speech and behaviors, and convince her she has no way to escape from their control no matter where she goes.

51. From April 2009 through Oct 2010 in Taiwan, while HU was preparing her complaint to GWU, Defendants tortured her as described at ¶ 12 above in FACTs section. From Nov 2010 through Aug 2011, when HU was in US fighting her lawsuit with GWU, Defendants arranged HU to rent a room from a family at 10919 Outpost Dr. North Potomac, MD 20878 through her friend. This "Siu" family deliberately put HU into a basement room without window, furniture and bed. Defendants intentionally have her friend deliver soft sponge for her to sleep for 7 months! To isolate her, Defendants blocked all her friends from coming and talking to her, and set her heating temperature to the law allowed 60 degree in winter. More detailed tortures were described at ¶ 13 above. Secretly, Defendants' electromagnetic weapons beamed her and caused her chest pains for one whole month, plus wrist pains, vision problems and memory loss. These torture techniques match exactly to CIA Kubark torture manuals except that the electrical shock was replaced by electromagnetic beam.

52. From Feb 2012 through now, while HU was preparing this Complaint, Defendants beamed her aggressively everyday and HU suffered chronic waist pains since Mar 2012, blisters in mouth, lots headaches, muscle and wrist pains, stomach pains and diarrhea, body hot flushes and abnormal periods plus internal bleeding at various time frames. HU suffered serious memory loss now which is one essential consequence by CIA Kubark manuals. Mosquitoes and bedbugs (disrupt agents) were sent into her room to bite her and disrupt her sleep. More details are addressed at ¶ 17 above. The scientific study of invisible radiation weapons has proved the use will produce various cancers, Alzheimer's, Parkinson's, fibromyalgia, chronic fatigue, headaches, chest pains, heart problems and permanent eye damage. Like the Taser gun. The length of time, intensity, amplitude and amplification of these radiations would determine the actual body damage. During last 5 years, Her heart beat changes and runs regularly at 99-100. The health hazards due to this radiation assaults are unable to be estimated and the side effects for the future are totally unknown.

53. Can US governments use the tactics in Kubark torture manuals and secret radiation weapons to assault HU, when she is not a criminal or enemy combatant? Can Defendants harass her in her face for 7 years, and still argue that these torture tactics and secret weapons are necessary "law enforcement techniques" for

“investigation” on national security? Apparently, the use of electromagnetic weapons, the hidden camera in her room, the stalking and harassment from strangers every day, the car and motorcycle running to her in her face and the endless noise campaigns are not special intelligence techniques for investigation on “national security”, but persecutions, retaliations and threats to dry HU into physically and mentally ill, then surrender and give up her resistances and lawsuits. See *Hatfill v. Attorney General John Ashcroft*. This proved that Defendants intentionally torture, assault and harass HU for political persecutions, personal interests and preventing HU from suing them.

Count 12 VIOLATION OF PRIVACY ACT, 5 USC 552a(b)

54. The Privacy Act states “no agency shall disclose any records contained in the system of record by any means of communications to any person, or another agency except pursuant to a written request by, or with the prior written consent of the individual to whom the record pertains”. 5 USC 552a(b) HU has no idea Defendants have her negative investigative files, so when she suffered unemployment for 5 years, and her mother accused her plagiarism and a Chinese spy, she did not know it is the Defendants who secretly maintained her untrue records and illegally released to Andrew Carnegie family, HU’s potential employers, family and friends. Defendants’ motives are to cut off HU’s financial supports, damage her social life and reputations, so HU either have to marry with somebody else for a living, or to comply with directions from Defendants step by step and do whatever they ask her to do. These malicious leaking and disclosures are not within the exemptions in Privacy Act

Count 13 Reject Access of Records- Violation of Privacy Act (d)1

55. When HU summarizing all her Privacy Act request results and agency responses, HU found out that both ODNI and NSA raised Glomar denials of classified records pursuant to FOIA exemptions 1 and 3, and Privacy Act k(1) related to national security. FBI raised Glomar denial pursuant to exemption (b)(7)(E) for “techniques and procedures in law enforcement investigation or prosecution” related to terrorist watch list. However, FBI repetitively rejected to search the “see reference” and classified file system for more records. DMDC searched 3 investigative file systems for military personnel, but they know clearly HU has never worked for military before, and this no record found reply took DMDC over 10 months to come with a backdated letter. Apparently DMDC did not do an adequate search for military personnel family, where HU’s file could be there due to “Michael Fish”. On July 27, 2011, HU told the OSD/JS FOIA Team chief Aaron Graves that because of her relationship with Andrew

Carnegie family. her file may be in the military personnel family system, but Mr. Graves rejected to help her. As to DMDC, it never contacted HU for any information, so it makes no sense that DMDC's searches were limited to those 3 investigative file systems for military personnel only.

56. DOD, CIA, DOJ and DOS, after playing tricks to delay and mislead HU in the beginning, they altogether rejected to process HU's PA request with unreasonable excuses, and this is a strong proof that they all have something to hide. The EFOIA 1996 sect 5 (c), or 5 USC 552(a)(3)(C), states clearly that "an agency shall make reasonable efforts to search for the records in electronic form or format." DC court of appeal also decided that 'when an agency receives a FOIA request for "agency records" in its possession, it must take responsibility for processing the request. It cannot simply refuse to act on the ground that the documents originated elsewhere'. *McGhee v CIA* 697F2d 1095. (D.C. Cir. 1983) Defendants have to prove they have done a reasonable and adequate search for HU's records. "When an agency receives a request for information, the FOIA requires the agency to conduct a "reasonable search" for records that might be responsive to the request. See *Abdelfattah v. United States Dep't of Homeland Sec.*, 488 F.3d 178, 182 (3d Cir. 2007). Defendants' intentional and improper rejections violated Privacy Act provision d(1) Access to record.

CONCLUSION

57. Defendants have performed these horrible and covert political persecutions, character destroy, mind control and brutal tortures to HU since 2005, when HU met and fell in love with a member of Andrew Carnegie family. HU's series of family tragedy happening two months after they met is just the first step of Defendants' "shock therapy". When HU still show strong resistance at GWU, Falls Church High school and later IDEA public charter school, and even decided to sue GWU, Defendants started to torture her by the CIA Kubark torture manuals. Besides interviewing HU's family, friends, previous employers, colleagues and landlords, Defendants also secretly searched over all her documents and belongings. By installing the hidden camera inside her apartments, the psychological/behavior experts are able to analyze all her habits, routines, loves and hates and schedules in order to design their daily work plan to make effective attacks to her. The secret use of radiation weapons to slowly poisoned and crippled HU since 2007 for the purpose of weakening her is a true "murder". Nobody knows what kind of radiations Defendants apply and at what intensity. These intentional criminal behaviors cannot be simply covered up and exempted by one word "national security". without proofs, to

rationalize a true “political persecutions” for personal interests.

58. If Defendants claim they do not have HU’s investigative file, then why ODNI, NSA and FBI all raised Glomar denials for her classified files? Why HU is subject to Defendants’ complete control, both mentally and physically, and 24-hour surveillance for 7 years? Does US Constitution allow US governments to harass, defraud, and assault with cyber and electromagnetic weapons, to threaten and brainwash an innocent US citizen until she surrenders to their orders? This Kubark style torture and mind control is truly a reborn of slavery but hard to be detected, and HU believes there are more innocent citizens being targeted and attacked in the same way, and it has to be stopped right now! HU’s case has a good cause for the great public’s interests to qualify 28 U.S.C. § 1657 (a). Defendants’ “national security” claim exactly contradicts with the facts they conspired with George Washington University to frame up HU a “plagiarism” charge and secretly tampered HU’s credit report. Is it because that would make HU look more like a Chinese spy? These covert controls of HU’s body and life, intentional tortures and brutal attacks without justifications over 7 years have to be stopped, deterred and compensated! Now HU has gradually figured out what really happened and proved her innocence, then it is HU’s Constitutional rights to view all her records and investigative files, and to amend those incorrect records in order to clear her name and resume her long stopped life and career.

RELIEF REQUESTED

WHEREFORE, Plaintiff Ling yuan Hu prays that this Court:

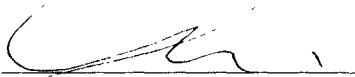
- (a) Issue a declaratory judgment that the Defendants have violated Plaintiff’s Constitutional rights and the Privacy Act by their conducts of tortures, assaults, harassments and withholding personal records;
- (b) Issue a preliminary and permanent injunction prohibiting Defendants from further violations of Plaintiff’s Constitutional rights and Privacy through 24 hour surveillance and harassment, hidden camera in her apartment, control of computer and communications, reject of service and assault with electromagnetic weapons;
- (c) Order the Defendants to immediately make the requested records available to the Plaintiff;
- (d) Award equitable reliefs to the Plaintiff for all lost income, benefits, and other adverse impacts for her health and emotions;
- (e) Award appropriate compensatory damages to Plaintiff for her lost family and life;

- (f) Award exemplary and punitive damages to Plaintiff to deter similar unlawful and unconstitutional acts in the future;
- (g) Award Plaintiff all costs, expenses and attorneys' fees;
- (h) Expedite this action in every way pursuant to 28 U.S.C. § 1657 (a) to stop the ongoing assaults from Defendants;
- (i) Order such other relief, as the Court or jury may deem just and appropriate.

JURY DEMAND

The Plaintiff demands a jury for all issues proper to be tried.

Respectfully submitted



Ling yuan Hu [pro se]

8404 kay ct.

Annandale, VA 22003- 2206

703-8805183/flower_music@hotmail.com

AFFIDAVIS

I, Ling yuan Hu, declare under penalty of perjury under the laws of District of Columbia that the forgoing above are all true and correct, or to the best of my acknowledgement based on my evidences, observations and logs.

NAME: Ling yuan Hu

DATE: September 20, 2012

